REMARKS/ARGUMENTS

The Examiner is to be complimented for the thorough office action and clear explanation of the cited references. Appropriate amendments have been made to the Specification in compliance with the Examiner's requirements. Figure 3 has been canceled as superfluous. Thus no corresponding correction to the text is needed.

The allowance of claims 3 and 4 and the allowability of claim 2 has been noted. Accordingly, claim 2 has been rendered in independent form. Claims 1-9 have now been presented for consideration.

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Konuma in view of Beitinger, Rukavina and Ohno. The Applicants respectfully traverse the rejection. In response, the Applicants have added clarifying language to claim 1, namely referring to the substrate as a solid substrate, and that the process is a direct coating that inhibits evaporation. This process is not a sandwiching process involving injection of materials between pre-coated layers.

The Applicants offer the following observations regarding the cited references:

The Konuma patent (USP 5,357,356) mentions the use of ITO (a conductive material) deposited directly onto a substrate such as glass, plastic, etc., but significantly not onto PDLC (col.4, lines 55-65). In the process described therein, two similar ITO-coated substrates are produced, the ITO is patterned, and then the two ITO coated/patterned substrates are mated together with a gap between them (col. 5, lines 10-17). Significantly, only thereafter is PDLC material injected into the gap between the patterned substrates. This is quite the opposite of the present teaching of DEPOSITING the intended material over the open-faced volatile gelatinous material (e.g., PDLC) having been provided with a dried protective layer. In other words, it is nonobvious to put peanut butter over jelly. The present invention is nonobvious, and the Konuma patent actually teaches away from the present invention.

The Ruvakina patent (USP 6,110,327) discusses use of a primer layer to help in improving the adhesion of a metal oxide. The present invention does not involve the vapor deposition of an intended material directly onto PDLC. The coating as now clearly recited in claim 1 is for protection against evaporation. It is silent about adhesion. The Applicants ask that the Examiner take judicial notice that the primers disclosed in Ruvakina would not even be needed to inhibit evaporation, since the coated material is not volatile.

The substrates that Ruvakina mentions are only plastic substrates and not volatile material (PDLC) coated substrates, as in claim 1. Attempts to vacuum deposit dielectrics directly onto polyurethane-coated PDLC do not work. The films tend to crack and wrinkle. The reason that the polyurethane, etc., primers work for Ruvakina is that the substrates are not 25% (or more) liquid. Thus there is no teaching in Ruvakina that would reasonably lead one of ordinary skill in the art to make the claimed invention.

The additionally-cited secondary references have been reviewed. It is submitted that none overcomes the deficiencies herein identified in the primary references.

To further emphasize distinctions, and because the present specification discloses a hardening agent (oxide nano-particles such as silica nano-particles) in the mix, new claims 5 and 6 have been added. In addition, claims 7 and 8 have been added to confirm that the volatile gelatinous material is PDLC, and claim 9 dependent upon claim 1 has been added to recite that the intended material is a dielectric.

CONCLUSION

In view of the foregoing, the Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

Kenneth R. Allen

Kenneth R. Allen
Reg. No. 27,301

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (650) 326-2400
Fax: (650) 326-2422
KRA:dim